

SEPARATE STATEMENT OF COMMISSIONER
MICHAEL J. COPPS
Concurring

RE: Improving Public Safety Communications in the 800 MHz Band (Supplemental Order and Order on Reconsideration; adopted December 22, 2004).

In this order the Commission resolves many important issues related to our effort to reduce interference to public safety in the 800 MHz band. I am pleased that we are taking this step and support the result of this order, which moves us significantly closer to the initiation of a successful rebanding process.

I am uncomfortable, however, the decision to change the valuation of Nextel's spectrum by close to half a billion dollars -- an increase of nearly twenty percent. While I believe that Nextel has demonstrated that its spectrum holdings are different than the assumption we made in the original order, I am concerned that the process that the Commission has used here to determine value has become too imprecise. Given the short time available, I do not believe that the Commission had the capacity to independently pinpoint the exact nature of Nextel's holdings, as we do here but did not do in the previous order. Additionally, if we must reassess the value of Nextel's spectrum, I would have preferred to reassess the MHz/POP multiplier that we employ in light of changes in the marketplace and transactions that occurred after we adopted our first order. Given the magnitude of the valuation at issue, I will therefore concur.